

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEVEN B. GOLDBERG,	:	CIVIL ACTION
	:	
Petitioner,	:	
	:	
v.	:	NO. 05-1005
	:	
DONALD L. KELCHNER,	:	
SUPERINTENDENT, et al.,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this day of , 2005,
upon careful and independent consideration of the Petition for
Writ of Habeas Corpus, the Response thereto, and after review of
the Report and Recommendation ("R&R") of United States Magistrate
Judge Arnold C. Rapoport dated October 26, 2005, IT IS HEREBY
ORDERED that:

1. the R&R is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DENIED
with prejudice and DISMISSED without an evidentiary hearing; and
3. there is no probable cause to issue a
certificate of appealability.

BY THE COURT:

EDMUND V. LUDWIG, S.J.